

**EXHIBIT D - CONDITIONS OF APPROVAL  
CONDITIONAL USE PERMIT SUB2012-00044**

**Approved Development**

1. This approval authorizes A Vesting Tentative Parcel Map/Conditional Use Permit (CO 13-0002/SUB2012-00044) to subdivide an existing one acre parcel into a planned development condominium project. The condominium units will be located within an existing 18,000 square foot industrial building and will be approximately 3,000 square feet each for the purpose of sale and/or lease.

All development must comply with the conditions of approval for Minor Use Permit D980214P (attached). If current conditions conflict with those from D980214P, the current conditions apply.

**Conditions required to be completed at the time of application for construction permits**

***Site Development***

2. **At the time of application for construction permits** plans submitted shall show all development consistent with the approved condominium plan, floor plans and architectural elevations.
3. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

***Fire Safety***

4. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the Cal Fire/County Fire Department for this proposed project and dated July 8, 2013.

***Services***

5. **At the time of application for construction permits**, the applicant shall provide a letter from ***name of agency*** stating they are willing and able to service the property.
6. **At the time of application for construction permits**, the applicant shall submit evidence that the existing septic system is adequate to serve the proposal.

**Conditions to be completed prior to issuance of a construction permit**

***Fees***

7. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

**Conditions to be completed prior to occupancy or final building inspection / establishment of the use**

9. Landscaping in accordance with the approved landscaping plan shall be installed or bonded for before ***final building inspection / establishment of the use***. If bonded for, landscaping shall be installed within 60 days after final building inspection. If installed or bonded for, the landscaping shall thereafter be maintained in a viable condition in perpetuity. If landscaping is for screening, such landscape must be maintained to provide the required or better screening in perpetuity.
10. **Prior to occupancy or final inspection**, whichever occurs first, the applicant shall obtain final inspection and approval from CalFire of all required fire/life safety measures.
11. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

**On-going conditions of approval (valid for the life of the project)**

12. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
13. All conditions of this approval run with the land and shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.

**Exhibit B - Conditions (July 13, 2000)**  
**D980214P**

Authorized Use

1. This approval authorizes the construction of an approximately 18,000 square foot industrial building on Lot 1 of CO88-292, including improvement of an internal access road and establishes development criteria for the remainder of the parent parcel for CO88-292.
2. This approval authorizes the following uses:

Accessory Storage	Offices
Ag Processing Facility	Paper Products
Apparel Products	Printing & Publishing
Auto & Vehicle Repair & Service	Schools - Specialized Education and Training
Broadcasting Studio	Small Scale Manufacturing
Business Support Services	Stone & Cut Stone Products
Caretaker	Structural Clay & Pottery-Related Production
Communication Facilities	Temporary Construction Yard
Construction Contractors	Textile Products
Consumer Repair Services	Warehousing
Electrical Equipment, Electronic Scientific Instruments	Wholesaling and Distribution
Furniture & Fixture Products	
Glass Products	
Lumber & Wood Products	
Machinery Manufacturing	
Mail Order & Vending	
Metal Industries, Fabricated	
3. **Prior to issuance of construction permits for tenant improvements, issuance of business licenses or establishment of uses**, the applicant shall submit a use description to the Department of Planning and Building for confirmation that the use is consistent with this approval, the South County planning area standards and the Land Use Ordinance.
4. Uses that require Development Plan approval are not authorized with this permit.
5. Subsequent Minor Use Permit approval is required for development on Lots 2, 3, 4 unless Development Plan approval is required by the Land Use Ordinance. The Minor Use Permits are subject to the following standards:
  - a. A minimum landscape strip width of 25 feet along Winterhaven Way.
  - b. Fencing along Winterhaven Way and Autumn Place to be split rail or other non-solid structure similar to the adjacent residential uses, chain link to include a dense landscaping feature, consistent with Planning Commission Exhibit A.
  - c. A minimum landscape strip width of 15 feet along Precision Place.
  - d. Provide a continuous pathway along the southerly side of Precision Place from Winterhaven Way to Lot 1 consistent with the landscape plan.
  - e. Buildings on Lots 2 cannot exceed 12,000 square feet, Lots 3 and 4 cannot exceed 6,000 square feet. Multiple structures may be allowed.
  - f. Parking on Lots 2, 3 and 4 to be located behind the buildings, or on the sides of building, but not in front of building or on corner side of Lot 4.
  - g. Projects on Lots 3 and 4 shall be designed to not accommodate trucks larger than delivery vans similar to those used by UPS or Federal Express. Occasional

- larger vehicles such as moving vans and major equipment/supply deliveries can be accommodate on street or through shared driveways or other design means to handle this traffic but not as a regular means of delivery to the site.
- h. Landscape materials shall be selected to mature within 3 years to create an adequate visual screen.
  - i. Architecture on all lots to contain articulated walls and features on the north and east elevations to create visual relief. Building colors shall be subtle.
  - j. Buildings on Lots 2, 3 and 4 shall be residential in appearance with heights limited those for residential land use categories.
  - k. Landscape plans for Lot 1 and 2 shall include but be limited to trees that reach heights in excess of forty feet.
  - l. All storage on the lots to be contained within buildings or stored in completely screened area behind or between building but not in front of building.
6. The remainder lot shall be developed with a campus style layout with buildings not to exceed 6,000 square feet, pathways connecting the buildings, a minimum landscape width of 50 feet along Winterhaven Way and Autumn Place and a minimum of 25 feet along Precision Place, and be consistent with condition numbers 5 b, f, g, h, i, and j.

#### Site Development

- 7. Site development shall be consistent with the approved site plan.
- 8. Architecture shall be consistent with revised elevations and color board, to be reviewed and approved by the Development Review Section prior to issuance of construction permits, that show additional articulation to create visual relief along the north and east elevations. Building colors shall be subtle.
- 9. All utilities shall be located underground.

#### Landscape

10. **Prior to issuance of construction permits**, the applicant shall submit revised landscape, irrigation, landscape maintenance plans and specifications to the Department of Planning and Building for review and approval. The landscape plan shall be address the following:
- a. Be consistent with the proposed conceptual landscape plan;
  - b. Be prepared as provided in Section 22.04.186 (*now Section 22.16.040 of the Land Use Ordinance*);
  - c. Utilize only plant material consistent with Section 22.04.184 (*now Sections 22.16.030 and 22.16.040*);
  - d. Include a minimum landscape strip width of 25 feet along Winterhaven Way to be installed with the development of Lot 1 to create a visual buffer for the adjacent neighborhood;
  - e. Fencing along Winterhaven Way to be split- rail or other non-solid structure similar to the adjacent residential uses, be chain link to include a dense landscaping feature, consistent with Planning Commission Exhibit A;
  - f. A minimum landscape strip width of 15 feet fronting Precision Place with installation of the portion of the northern side of Precision Place to be completed with Lot 1 and the portion on the southern side of Precision Place to be completed as lots 2, 3, and 4 are developed;
  - g. Any additional trees needed to create 60% shading for parking lots;
  - h. Larger trees that reach a mature height of 40 feet or more; and,
  - i. Landscape materials to be selected to mature within 3 years to create an adequate visual screen.

11. Landscape per the approved landscape plan shall be installed **prior to final building permit inspection**.

Traffic & Circulation

12. **Prior to issuance of building permits**, the applicant shall offer for dedication to the public by certificate or by separate document, 25 feet along Winterhaven Road for road widening purposes.
13. **Prior to issuance of building permits**, Winterhaven Road shall be constructed to an A-1 (rural) section within a 50 foot dedicated right-of-way from Highway One to Callender Road. Improvements shall include any necessary changes to the vertical curve for safe sight distance. Notwithstanding any other provision of the A-1 standard, the minimum paved width of Winterhaven Road shall be 24 feet.
14. Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the County Engineer and County Health Department for approval.
15. The improvement plans shall include: street plan and profile; drainage ditches, culverts and other structures, if drainage calculations require; water plan (County Health); grading and erosion control plan for related improvements; and public utilities. The applicant shall enter into an agreement with the County for inspection of said improvements, and for checking the improvement plans.
16. The engineer, upon completion of the improvements, must certify to the County Engineer that the improvements are made in accordance with Planning Commission requirements and the approved plans. All public improvements shall be completed prior to occupancy of any new structures being granted.

Fire Safety

17. **Prior to final inspection**, the California Department of Forestry (CDF) shall conduct an inspection of the project site to assure that all necessary fire safety measures have been implemented.

Noise Mitigation

18. **Prior to final building inspection**, the applicant shall install a 6 ½ - foot high masonry sound wall along the entire west side property line of "Parcel 1", as shown on the attached Exhibit B (in the Negative Declaration), to mitigate potential noise impacts associated with an industrial land use adjacent to a residential land use. The final design and proposed location of the sound wall shall be reviewed and approved by the County Planning Department to assure that the wall mitigated anticipated future noise as required in the County Noise Element.
19. All uses on the property shall meet noise levels measured at the property boundary, per Section 22.06.040 of the County Land Use Ordinance and the County Noise Element.

Wastewater Disposal

20. **Prior to final inspection**, the applicant shall show, to the satisfaction of the County Building Division, the following:
  - a. Maintenance of an appropriate separation between all potential domestic water wells and wastewater disposal leach fields.

Drainage

21. **Prior to final inspection**, the applicant shall verify that any necessary upgrades to the existing drainage basin have been made to assure the adequate capacity to capture and percolated the increased storm water runoff created by this development.

Cultural Resources

22. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
- a. Construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
  - b. In the even archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.

Signs

23. **Prior to issuance of construction permits**, the applicant shall submit a sign program for the project to the Development Review Section of the Department of Planning and Building for review and approval. The plan shall include design parameters for all site identification and future business signs. All freestanding signs shall be monument style signs with a maximum height of six feet.

Exterior Lighting

24. **Prior to issuance of construction permits**, the applicant shall submit to the Development Review section of the Department of Planning and Building for review and approval, an exterior lighting plan. The plan shall include the height , location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from residences within 1,000 feet of the site. Broadcast-type "lightpacks" or flood lights on the sides and rear of the buildings are not authorized.

Fencing

25. The applicant shall install a 6½ foot high solid wall, solid fence, or chain link fence with a dense landscape screen along the southerly property line.